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UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT
 Thurgood Marshall U.S. Courthouse at Foley Square 40 Centre Street, New York, NY 10007 Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

Caption [use short title]

Docket Number(s): 08-1045-cr

U. S. DISTRICT COURT
FILED

AUG 27 2008

United States v. Victor Arvelo

Motion for: Limited Remand

S. D. OF N. Y.

Set forth below precise, complete statement of relief sought:

The Government moves for limited remand for consideration of whether to accept

defendant's guilty plea and for resentencing

AUG 14 2008

USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED

DOC #:

DATE FILED: 8/27/08

MOVING PARTY:

- Plaintiff Defendant
 Appellant/Petitioner Appellee/Respondent

MOVING ATTORNEY: Michael J. Garcia

[name of attorney, with firm, address, phone number and e-mail]
 United States Attorney

By: AUSA David A. O'Neil

Tel: (212) 637-2533

E-mail: David.O'Neil@usdoj.gov

OPPOSING PARTY: Victor Arvelo

OPPOSING ATTORNEY [Name]: David A. Lewis, Esq.

[name of attorney, with firm, address, phone number and e-mail]
 Federal Defender of New York, Inc.

52 Duane Street

10th Floor

New York, New York 10007

Court-Judge/Agency appealed from: United States District Court, S.D.N.Y (Hon. Denny Chin: U.S.D.J.)

Please check appropriate boxes:

Has consent of opposing counsel:

- A. been sought? Yes No
 B. been obtained? Yes No

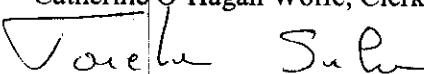
Is oral argument requested? Yes No
 (requests for oral argument will not necessarily be granted)

Has argument date of appeal been set? Yes No
 If yes, enter date _____

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND
INJUNCTIONS PENDING APPEAL:Has request for relief been made below? Yes NoHas this relief been previously sought
in _____

A TRUE COPY

R Catherine O'Hagan Wolfe, Clerk

by: 

Deputy Clerk

Signature of Moving Attorney:

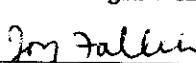
Date: 8/12/2008

Has service been effected?
 [Attach proof of service] Yes No

ORDER

Before: Hon. Barrington D. Parker, Circuit Judge

IT IS HEREBY ORDERED that Appellee's motion for limited remand (on consent) is GRANTED.

3/25/08
DateUNITED STATES COURT OF APPEALS
Catherine O'Hagan Wolfe, Clerk
SECY
AUG 25 2008FOR THE COURT:
 Catherine O'Hagan Wolfe, Clerk
 by 
 Joy Fallek, Administrative Attorney

Certified Copy:

August 25, 2008